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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/917,991 | 07/30/2001 | Roger L. Palmer | 4898*2 | 9771 |

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EXAMINER

HWANG, JOON H

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2172

DATE MAILED: 05/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/917,991

Applicant(s)

PALMER, ROGER L.

Examiner

Joon H. Hwang

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) 2,8 and 14 is/are ~~withdrawn from consideration~~ *Cancelled*.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-13 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. The applicant amended claims 1, 6, 7, 12, 13, and 18 and canceled claims 2, 8, and 14 in the amendment received on 2/26/04.

The pending claims are 1, 3-7, 9-13, and 15-18.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 7, and 13 have been considered but are moot in view of the new ground(s) of rejection.

The applicants added in claims 1, 7, and 13 the limitations of enabling athletes to search a database of numerous schools to enable the athletes to match their skills with schools seeking their specific skills. These limitations are addressed in the following rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-7, 9-13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfston, Jr. (U.S. Patent No. 5,815,155) in view of Athletes & Coaches Choice, Inc (hereinafter "ACCI", 11/28/1999, retrieved from www.archive.org

on 5/6/04, <http://web.archive.org/web/19991128065521/http://accigameplan.com/>, 9 pages).

With respect to claim 1, Wolfston discloses providing a Web site that includes a searchable database of numerous schools (lines 27-57 in col. 6, lines 3-10 in col. 7, and fig. 4) that provides information about, and admission application processing for, colleges and universities. Wolfston discloses providing a search criteria input system, which implements as electronic search input process and provides users with various search criteria from which the users may choose to vary the scope of a search for schools (lines 11-32 in col. 7 and fig. 4). Wolfston discloses providing a school display system, which displays information about the schools matching the search criteria inputted by the users, wherein the information is stored in the searchable database of the Web site (lines 27-57 in col. 6, lines 33-67 in col. 7, and fig. 4). Wolfston also discloses searching scholarships (fig. 4a). Wolfston further discloses displaying additional information about a school (lines 33-48 in col. 7), which could be used for displaying detailed information upon a selection by the user. Wolfston does not explicitly disclose athletes for searching colleges to be recruited. However, ACCI discloses a web site for recruiting athletes that allows student athletes as users to search a college/college program and a coach that matches their academic and athletic goals (pages 3, 4, 7, and 8) to be recruited. Therefore, based on Wolfston in view of ACCI, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize teachings of ACCI to Wolfston for allowing student athletes to search colleges for recruitment.

With respect to claim 3, Wolfston further discloses the search criteria comprising one of a state where a school is located and a region of the country where a school is located (fig. 4 and lines 3-32 in col. 7).

With respect to claim 4, Wolfston discloses a user may type in any part of a school name to see if that college is listed in the searchable database of the Web site (lines 3-32 in col. 7 and fig. 4). The limitations of claim 4 are rejected in the analysis of claim 1 above, and the claim 4 is rejected on that basis.

With respect to claim 5, Wolfston discloses searching information listed in the searchable database of the Web site with a search criteria (lines 3-32 in col. 7 and fig. 4), which searching teaches matching or comparing information in the database with the search criteria for a search result.

With respect to claim 6, Wolfston discloses links to Internet sites of the schools in the list (lines 33-48 in col. 7), which can be displayed as additional information. The limitations of claim 6 are rejected in the analysis of claim 1 above, and the claim is rejected on that basis.

5. Claims 7 and 9-12 are essentially the same as claims 1 and 3-6 except that is sets forth the claimed invention as a system rather than a method and rejected for the same reasons as applied hereinabove.

6. Claims 13 and 15-18 are essentially the same as claims 1 and 3-6 except that is sets forth the claimed invention as a computer readable medium rather than a method and rejected for the same reasons as applied hereinabove.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Joao (U.S. Patent No. 6,662,194) disclosing a system, which can be utilized in recruitment services for schools, colleges, and universities, for providing recruitment information based on an individual's search criteria.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 703-305-6469. The examiner can normally be reached on 9:30-6:00(M~F).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Joon Hwang
5/6/04



JEAN M. CORRIELUS
PRIMARY EXAMINER